

## CITY OF ISSAQUAH

### MITIGATED DETERMINATION OF NONSIGNIFICANCE (MDNS)

**Description of Proposal:** Subdivide a 6.4 acre site into 10 single family residential lots and a separate 3.5 acre steep slope/tree retention tract. Residential lot sizes range between 8,312 SF and 14,140 SF. The site includes 1.8 acres of steep slope critical areas (greater than 40% slopes) and the applicant has provided supporting geotechnical information to reduce the steep slope buffer from 50 feet to 10 feet, plus a 15-foot building setback. The steep slopes are protected in a separate tract; the tract also includes a tree retention area outside the steep slope buffer. Stormwater would be piped downslope through the steep slope/tree retention tract to a stormwater detention vault located along Newport Way NW. The residential lots would be accessed from a public street off NW Inneswood Pl. The plat also includes a street connection north to NW Pickering Street (Pickering Hills plat), providing a secondary access to Newport Way NW. The site is located between NW Inneswood Pl on the west and Newport Way NW on the east.

<b>Proponent:</b>	Inneswood Estates, LLC P.O. Box 6127 Bellevue, WA. 98008	Core Design, Inc. 14711 NE 29 <sup>th</sup> Pl, Suite 101 Bellevue, WA. 98007 Attn: Lafe Hermansen
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**Permit Number:** PP13-00003 – Inneswood Estates Preliminary Plat

**Location of Proposal:** The project site address is 905 Newport Way NW. The site is located between NW Inneswood Pl and NW Honeywood Court on the west and Newport Way NW on the east. To the south of the site is NW Everwood Drive.

**Lead Agency:** City of Issaquah

**Determination:** The lead agency has determined this proposal would not have a probable significant adverse impact on the environment. An environmental impact statement is not required under RCW 43.21C.030(2)(c). This decision was made after review of a completed environmental checklist and other information on file with the lead agency. This information is available to the public on request.

**Comment/Appeal Period:** This Mitigated Determination of Nonsignificance is issued under WAC 197-11-340(2) and 197-11-680(3)(a)vii, and is based on the proposal being conditioned as indicated below. There is a 21-day combined comment/appeal period for this determination, between **December 31, 2014 and January 21, 2015**. Anyone wishing to comment may submit written comments to the Responsible Official. The Responsible Official will reconsider the determination based on timely comments. Any person aggrieved by this determination may appeal by filing a Notice of Appeal with the City of Issaquah Permit Center. Appellants should prepare specific factual objections. Copies of the environmental determination and other project application materials are available from the Issaquah Development Services Department, 1775 12th Avenue NW.

Appeals of this SEPA determination must be consolidated with appeal of the underlying permit, per IMC 18.04.250.

#### Notes:

- 1) This threshold determination is based on review of the Preliminary Plat Plans, Preliminary Grading & Utility Plan and Preliminary Landscape received December 3, 2014; Amended Supplemental Report to the Tree Inventory and Density Report (Greenforest Incorporated) received July 31, 2014; Revised Report Geotechnical Engineering Services, Proposed Property Development, Multi- and

Single Family Residential Housing, 905 Newport Way NW (Icicle Creek Engineers) dated December 31, 2013; environmental checklist received May 13 2014; and other documents in the file.

- 2) Issuance of this threshold determination does not constitute approval of the preliminary plat. The proposal will be reviewed for compliance with all applicable City of Issaquah codes, which regulate development activities, including the Land Use Code, Critical Area Regulations, Building Codes, Clearing and Grading Ordinance, and Surface Water Design Manual.

**Findings:**

1. Steep slopes - A geotechnical report (Icicle Creek Engineers) was prepared to evaluate geologic conditions and recommended a reduction in the steep slope buffer from 50 feet to 10 feet, the minimum buffer width allowed in the City's critical area regulations. The City conducted a peer review (SubTerra Inc., letter dated June 27, 2014) of the geotechnical report which concurred with the recommendations on the steep slope buffer reduction. The following conditions shall apply:
  - 1) All cited geotechnical design requirements, recommendations, and development practices specified in the Icicle Creek geotechnical reports shall be followed.
  - 2) Detailed design of structures and retaining walls shall be reviewed for compliance with code criteria in IMC 18.10.580, prior to issuance of building or construction permits.
  - 3) The applicant shall submit a geotechnical report evaluating specific building plans and grading plans prior to the issuance of construction and building permits. The geotechnical report shall follow City of Issaquah Development Services "Soils Report Requirements." A third-party independent review of the geotechnical report may be required at the applicant's expense.
  - 4) The 15-foot building setback required from the reduced steep slope buffer extends onto the back of several lots (Lots 1, 2, 3, 5, 6, 8, 9). No structures or retaining walls over 4 feet in height are allowed within the building setback. This restriction shall be noted on the Final Plat.
  - 5) The retaining wall along the north portion of the site would be between 14 and 19 feet in height. The wall may be visible from Newport Way NW and other areas and result in aesthetic impacts. The height of the wall may be reduced by breaking it up into a 2-tier wall. The applicant shall work with the Development Services Department to minimize the effective height of the retaining wall.
2. Tree Retention – The Land Use Code requires retaining 30% of the total caliper of significant trees outside of critical areas and buffers. The proposal exceeds the code requirement retaining trees in Tract A adjacent to the steep slope and steep slope buffer area. According to the arborist report, *Amended Supplemental Report to the Tree Inventory and Density Report, Greenforest Incorporated*, Tract A would provide a surplus of 582 diameter inches over the required tree retention. Tract A shall be preserved as a critical area/open space tract, protecting vegetation and precluding development in perpetuity. The proposed tree retention area meets the priorities stated in the code; retaining existing trees adjacent to critical areas/buffers, retaining trees on slopes greater than 20%, and retaining trees to form a continuous canopy. Tract A will provide a large contiguous forested area to support wildlife habitat and will provide a natural barrier and screen for the proposed development from higher intensity development along Newport Way NW.
3. Approved tree protection measures must be in place prior to any construction or demolition activities and installed in conjunction with limits of clearing and grading delineation. Clearing and grading shall be outside the critical root zone of significant trees in Tract A to the extent possible. This may require adjusting clearing/grading limits back from the rear of the lots. After rough

clearing and grading, the edge or boundary between Tract A and the residential lots shall be evaluated for hazard trees. If removal of hazard trees is necessary in Tract A, the City may require replacement tree planting along the edge of Tract A.

4. Traffic – Traffic impacts of the proposal were evaluated through traffic concurrency review. A Certificate of Traffic Concurrency was issued (CON13-00001) for 9 lots; concluding that 9 lots would result in 12 new PM peak hour trips. The trip generation from 10 lots would not result in significant adverse impacts on the local street system.

The residential lots would be accessed from a public street off NW Inneswood Pl. The plat also includes a street connection north to NW Pickering Street (Pickering Hills plat), providing a secondary access to Newport Way NW. This connection would provide alternative routes and improve connectivity between neighborhoods.

5. Public Services - The proposal would have a potential impact on public services, including police and general government buildings. IMC Chapter 18.18, Methods to Mitigate Development Impacts, provides alternatives to mitigate for direct impacts of proposed development. The City may approve a voluntary payment in lieu of other mitigation. Rate studies for police facilities and general government buildings are included in IMC 18.10.260 as the City's SEPA policy base. The rate studies present the methodology and formulas for determining the amount of the mitigation fee commensurate with the proposed land use and project impacts. The current mitigation fee is \$140.90 per new single family residence for the General Government Buildings mitigation fee and \$180.36 per new single family residence for the Police mitigation fee. The mitigation fee is paid at the time of building permit issuance and the actual fee amount is determined at that time. Applicant objections to the voluntary payment should be made during the SEPA comment period.

**Mitigation Measures:** The Mitigated Determination of Nonsignificance is based on the checklist received May 13, 2014 and supplemental information in the application. The following SEPA mitigation measures shall be deemed conditions of the approval of the licensing decision pursuant to Chapter 18.10 of the Issaquah Land Use Code. All conditions are based on policies adopted by reference in the Land Use Code.

1. All cited geotechnical design requirements, recommendations, and development practices specified in the Icicle Creek geotechnical reports shall be followed.
2. Detailed design of structures and retaining walls shall be reviewed for compliance with code criteria in IMC 18.10.580, prior to issuance of building or construction permits.
3. The applicant shall submit a geotechnical report evaluating specific building plans and grading plans prior to the issuance of construction and building permits. The geotechnical report shall follow City of Issaquah Development Services "Soils Report Requirements." A third-party independent review of the geotechnical report may be required at the applicant's expense.
4. The 15-foot building setback required from the reduced steep slope buffer extends onto the back of several lots (Lots 1, 2, 3, 5, 6, 8, 9). No structures or retaining walls over 4 feet in height are allowed within the building setback. This restriction shall be noted on the Final Plat.
5. The retaining wall along the north portion of the site would be between 14 and 19 feet in height. The wall may be visible from Newport Way NW and other areas and result in aesthetic impacts. The height of the wall may be reduced by breaking it up into a 2-tier wall. The applicant shall work with the Development Services Department to minimize the effective height of the retaining wall.
6. Tract A shall be preserved as a critical area/open space tract, protecting vegetation and precluding development in perpetuity. This shall be noted on the Final Plat.

7. Approved tree protection measures for trees in Tract A must be in place prior to any construction or demolition activities and installed in conjunction with limits of clearing and grading delineation. Clearing and grading shall be outside the critical root zone of significant trees in Tract A to the extent possible. This may require adjusting clearing/grading limits back from the rear of the lots.
8. After rough clearing and grading, the edge or boundary between Tract A and the residential lots shall be evaluated for hazard trees. If removal of hazard trees is necessary in Tract A, the City may require replacement tree planting along the edge of Tract A.
9. The applicant should mitigate for potential impacts on public services with a voluntary contribution for the General Government Buildings and Police Mitigation Fees. Applicant objections to the voluntary payment should be made during the SEPA comment period. The mitigation fee is to be paid prior to issuance of building permits and the actual fee amount is determined at that time.

**Responsible SEPA Official:** Peter Rosen

**Position/Title:** Senior Environmental Planner

**Address/Phone:** P.O. Box 1307, Issaquah, WA 98027-1307 (425) 837-3094

**Date:** 12/31/2014

**Signature:**  \_\_\_\_\_

cc: Washington State Department of Ecology  
Muckleshoot Indian Tribe  
U.S. Army Corps of Engineers  
Washington State Department of Fish and Wildlife  
Issaquah Development Services Department  
Issaquah Parks and Public Works Engineering Departments